(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

WRIT PETITION NO.....837.....OF 2005

PETITIONER :- Amar Singh Rathia S/o Dokara Ram Rathia Aged about 60 years, Occupation - Service, presently Asst. Teacher at Primary School, Harradih, Block, - Tamnar, Tahsil - Gharghoda, District - Raigarh (C.G.)

P.R. No. 955 of 5
Presented by Shri K.V. Namdeo
dated 07/03/05

VERSUS

RESPONDENTS :- 1. District Collector, Raigarh (C.G.)
2. Asst. Commissioner, Tribal Development Department, Raigarh (C.G.)

WRIT PETITION UNDER ARTICLE 226 /227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF AN APPROPRIATE WRIT.

XI-HC-78

(24)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 837/2005 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

15.03.2005

Shri K.N. Nande, counsel for the petitioner.

Shri Sandeep Dubey, Govt. Advocate for the State/respondents.

Heard on admission.

This petition has been filed against the order dated 21.02.2005 (Annexure-P/1) which is an order of suspension issued against the petitioner.

Admittedly, an order of suspension is appealable under Rule 23 of the M.P. (C.G.) Civil Services (Classification, Control and Appeal) Rules, 1966. Learned counsel for the petitioner submits that the order has been passed by Assistant Commissioner, Tribal Development Department on behalf of the Collector. He further submits that before passing of the order some approval was obtained from the Collector. He also submits that the authority erred in law in taking approval of Collector in passing the order of suspension.

In the present facts and circumstances, when the alternative and efficacies remedy of appeal is available under the departmental

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(28)

मामला क्रमांक W.P. No. 837/2005 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	rule, it shall be just and proper that the same is exhausted before coming to this Court. This Court is not inclined to interfere in the writ jurisdiction at this stage. The petitioner may file an appeal before the appropriate authority under the relevant rules and if any adverse order is passed, he may approach to this Court again. With the aforesaid observations, the petition stands disposed of. **Sd/-** **SUNIL KUMAR SINHA** **Judge**	

Vathi

18-3-06